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8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE DISTRICT OF GUAM

10 UNITED STATES OF AMERICA, )

CIVIL CASE NO. 98-00061

11 Plaintiff, )

12 vs. )

13 GERTRUDE CRUZ )

aka GERTRUDE C. JACKSON )

14 aka TRUDY CRUZ, )

**FINAL ORDER IN  
CONTINUING GARNISHMENT**

15 Defendant, )

16 WEBCO GENERAL PARTNERSHIP, )

17 Garnishee. )

18 FINAL ORDER IN CONTINUING GARNISHMENT

19  
20 This matter is before the Court for consideration of the entry of a final order in  
21 continuing garnishment pursuant to Section 3205 of the Federal Debt Collection Procedures Act  
22 of 1990, 28 U.S.C. § 3205, against the non-exempt earnings of the judgment defendant,  
23 GERTRUDE CRUZ aka GERTRUDE C. JACKSON aka TRUDY CRUZ.

24 An Application of Writ of Continuing Garnishment directed to Garnishee has been duly  
25 issued and served upon the Garnishee. Pursuant to the Writ of Continuing Garnishment, the  
26 Garnishee filed an Answer stating that at the time of the service of the Writ it had in its  
27 possession or under its control personal property belonging to and due defendant, in the form of  
28 earnings.

1 The defendant was served with a copy of the Writ of Continuing Garnishment and  
2 notified of her right to a hearing. The defendant has not requested a hearing to determine exempt  
3 property.

4 Whereupon the Court, having considered the Application for a Writ of Continuing  
5 Garnishment against the earnings of the Defendant, the Answer of the Garnishee, and noting that  
6 the defendant, GERTRUDE CRUZ aka GERTRUDE C. JACKSON aka TRUDY CRUZ, has not  
7 exercised her right to request a hearing now finds that the entry of a final order of continuing  
8 garnishment is in all respects proper.

9 IT IS THEREFORE ORDERED Garnishee shall pay to plaintiff the lesser of a) 25% for  
10 any workweek, pursuant to 15 U.S.C. § 1673(a), of defendant's disposable earnings or b) the  
11 amount by which defendant's disposable earnings exceed 30 times the federal minimum hourly  
12 wage. "Disposable earnings" are those earnings remaining after deductions of any amount  
13 required by law to be withheld, such as social security and withholding taxes. These payments  
14 shall be made at the same time the employee is paid and shall continue until the debt to the  
15 plaintiff is paid in full or the Garnishee no longer has custody, possession or control of any  
16 property belonging to the debtor or until further Order of this Court. Payments shall be made  
17 payable to the **"U.S. Department of Justice"** and sent to the U.S. Attorney's Office, Sirena  
18 Plaza, Suite 500, 108 Hernan Cortez Avenue, Hagåtña, Guam 96910.

19 IT IS FURTHER ORDERED that any amounts which the Garnishee may be holding  
20 pursuant to the Writ of Continuing Garnishment shall immediately be turned over to the U.S.  
21 Attorney's Office at the above address.

22 SO ORDERED.



/s/ Frances M. Tydingco-Gatewood  
Chief Judge  
Dated: Apr 12, 2007